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Tami M. Procopio
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR, et al. *455,486*

Serial No.: Continuation of 09/323,873

Filing Date: Even Date Herewith

For: NOVEL SERPENTINE
TRANSMEMBRANE ANTIGENS
EXPRESSED IN HUMAN CANCERS
AND USES THEREOF

Examiner: To be assigned

Group Art Unit: To be assigned

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PETITION TO MAKE SPECIAL UNDER MPEP 708.03 XII

Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

1. The present application is under obligation of assignment to Agensys, Inc., a corporation of California entitled to small entity status.
2. The subject of the patent application is a major asset of Agensys, Inc.
3. The development of the technology set forth in the application, which is critical to Agensys, Inc. and which is of significance to biotechnology, will be significantly impaired if examination of the patent application is delayed.
4. The petition fee under 37 C.F.R. 1.17(i) is enclosed.

Explanation (MPEP 708.03, XII, c) of the basis for statement 3:

The present application relates to a technology which is being currently marketed by a competitor and is of commercial and scientific significance to the assignee. As there will be no incentive provided by exclusivity to develop this technology on behalf of Agensys, Inc. development will be severely impaired without assurance that the application will be quickly examined.

Respectfully submitted,

Dated: December 6, 2001

By: Kate H. Murashige
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